

8 a telephone number information detecting means for
9 detecting, before a speech path is established with an incoming
10 call apparatus, whether the decoded control information includes
11 incoming telephone number information;

12 a memory for storing said telephone number information, said
13 memory having an incoming recording memory and a registering
14 memory, with said incoming recording memory storing a telephone
15 number and a time information of an incoming telephone call;

16 a time information management means for specifying an
17 incoming time of said telephone number information to output said
18 time information; and

19 a memory management means for recording said telephone
20 number information corresponding to said time information into
21 said memory, with said telephone number being compared to
22 previously stored telephone numbers, and being stored in a first
23 memory location if said telephone number is not in said incoming
24 recording memory, and being deleted from an existing memory
25 location and being stored in a first memory location if said
26 telephone number is currently in said incoming recording memory.

REMARKS

Claims 1 and 2 remain pending in this application. Claim 1
has been amended. Reconsideration of this application is
requested.

The rejection of claims 1 and 2 under 35 U.S.C. § 103(a) as being unpatentable over the proposed combination of Obata et al. ("Obata") and Mizikovsky, both previously of record in the parent application, is respectfully traversed.

The Office action alleges that Obata discloses the claimed invention except for the use of a digital telephone and the telephone number detecting means. The Office action proposes to modify Obata to a digital telephone system and to obtain caller identification information from call transmissions in such a system, allegedly as taught by Mizikovsky.

The proposed modification is improper because Mizikovsky does not suggest to those skilled in the art the modification of Obata that is proposed by the Office action. In order for a modification of the prior art to be obvious under § 103, there must be some teaching, suggestion or purpose within the prior art for making that modification.

Mizikovsky discloses a mobile communication device wherein a user is able to select different responses to certain incoming telephone numbers. For example, the user may select distinctive ringing, mute ringing, activation of scrambling and descrambling functions, activation of a voice recorder, etc., based on the incoming telephone number provided in an "alert with information" message sent to the mobile communication device, alerting the

device of an incoming call and providing an identification of the caller.

Mizikovsky discloses in Fig. 3 the use of an "alert with information" message in an analog cellular telephone system. Mizikovsky does not teach or recognize any advantage of a digital system over an analog system. Further, in Mizikovsky's disclosed digital telephone system as well as Mizikovsky's analog telephone system, the "alert with information" message is provided in the speech path after the speech path has been established between the base station and the mobile station. Similar to the Mizikovsky disclosure, in Obata a caller who has reached the called telephone system when it is in a "during-absence" automatic telephone answering state transmits his telephone number in response to a voice guide message after a speech path has been established between the calling unit and the called unit.

Even if one skilled in the art were to modify the Obata system to automatically record callers' telephone numbers as proposed in the Office action, first, there would be no motivation from the Mizikovsky reference to convert the Obata system to a digital system, since one could simply use the analog "alert with information" analog message disclosed in Fig. 3 of Mizikovsky. Second, Mizikovsky does not suggest modification of Obata to achieve the invention as set forth in claims 1 and 2,

wherein it is detected whether decoded control information includes incoming telephone number information, before a speech path is established with the incoming call apparatus.

In view of the foregoing, claims 1 and 2 are respectfully submitted to be patentably distinguished from the prior art of record, considered either individually or in combination. Accordingly, favorable reconsideration of this application and the issuance of a Notice of Allowance are earnestly solicited.

Please charge any fee or credit any overpayment pursuant to 37 CFR 1.16 or 1.17 to Deposit Account No. 02-2135.

Respectfully submitted,

ROTHWELL, FIGG, ERNST & MANBECK, p.c.

By Vincent M DeLuca

Vincent M. DeLuca
Attorney for Applicants
Registration No. 32,408

555 Thirteenth Street, N.W.
Suite 701 East Tower
Washington, D.C. 20004
Telephone: (202) 783-6040